

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

John S. McCoskey et al.

Serial No.: 09/920,723

Filed: August 3, 2001

For: VIDEO AND DIGITAL MULTIMEDIA AGGREGATOR

Attorney Docket No.: 007412.00279

Group Art Unit: 2421

Examiner: Saltarelli, Dominic D.

Confirmation No.: 5093

**AMENDMENT AND REQUEST FOR RECONSIDERATION**

Mail Stop RCE  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP § 1308, and in connection with the Request for Continued Examination (RCE) and Information Disclosure Statement (IDS) filed herewith, Applicants respectfully request that this application be withdrawn from issue in order to have the information cited in the IDS considered.

Also, the Notice of Allowance mailed January 27, 2010, at page 4, indicates that no oath or declaration has been filed in this application. A declaration was submitted on December 5, 2001, including a one-month extension of time fee, in response to a Notice to File Missing Parts dated September 10, 2001. Filed herewith is a copy of the communication submitted December 5, 2001, which includes a date-stamp of December 5, 2001, from the Office of Initial Patent Examination (OIPE), acknowledging the submission.

Please charge any fees due, or credit any overpayments made, to Deposit Account No. 19-0733, accordingly. Any necessary extensions of time are hereby requested.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: April 26, 2010

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